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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
)
 v.)
)
)
 EMMANUEL IMANI HYLAND,)
)
 Defendant.)
)
)

No. CR 13-0176 CRB

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE STATUS
CONFERENCE AND FOR AN
EXCLUSION OF TIME FROM
CALCULATIONS UNDER THE SPEEDY
TRIAL ACT

The defendant, Emanuel Imani Hyland, represented by Elizabeth Falk, and the government, represented by Cynthia Frey, Assistant United States Attorney, are currently scheduled for a status conference before this Court on May 2, 2013. The government is not available on that date. The parties are discussing a potential resolution of this case and request a continuance to June 12, 2013. The Courtroom Deputy has confirmed availability on that date. As such, the parties stipulate to set the next status conference before this Court on June 12, 2013. The defendant agrees to exclude time under 18 U.S.C. § 3161, the Speedy Trial Act.

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1 The defendant also agrees that an exclusion of time is appropriate under the Speedy Trial
2 Act between May 2, 2013 and June 12, 2013 for purposes of effective preparation of counsel, in
3 order to provide defense counsel with adequate time to review the discovery, conduct an
4 investigation, and consult with the defendant. In addition, the defendant agrees to exclude for
5 this period of time any time limits applicable under 18 U.S.C. § 3161. The parties represent that
6 granting the continuance, in order to provide defense counsel with adequate time to review the
7 discovery, conduct additional investigation, and consult with the defendant, is necessary for
8 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §
9 3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by granting such a
10 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
11 U.S.C. § 3161(h)(7)(A).

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13 SO STIPULATED:

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15 MELINDA HAAG
16 United States Attorney

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18 DATED: April 30, 2013

19 /s/
CYNTHIA M. FREY
Assistant United States Attorney

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21 DATED: April 30, 2013

22 /s/
ELIZABETH FALK
Attorney for EMMANUEL IMANI HYLAND

1 Based upon the representation of counsel and for good cause shown, the Court finds that
2 good cause exists to continue the status conference to June 12, 2013 and to exclude time between
3 May 2, 2013 and June 12, 2013. The Court finds that failing to exclude the time between May 2,
4 2013 and June 12, 2013 would unreasonably deny the defendant and counsel the reasonable time
5 necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C.
6 § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
7 between May 2, 2013 and June 12, 2013 from computation under the Speedy Trial Act outweigh
8 the best interests of the public and the defendant in a speedy trial.

9 Therefore, IT IS HEREBY ORDERED that:

10 (1) The status conference be continued to June 12, 2013; and

11 (2) The time between May 2, 2013 and June 12, 2013 shall be excluded from computation
12 under the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

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15 DATED: May 2, 2013 _____


HONORABLE CHARLES R. BREYER
United States District Court Judge